

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BAC HOME LOAN SERVICING, LLP,)
Plaintiff,) Case No. 2:13-cv-00722-MMD-PAL
vs.)
ORDER
ADVANCED FUNDING STRATEGIES,) (Mtn to Withdraw - Dkt. #18)
INC., et al.,)
Defendants.)

This matter is before the court on the Motion to Withdraw as Counsel (Dkt. #18) filed September 24, 2013. David Sampson seeks to withdraw as counsel of record for Defendant Advanced Funding Strategies, Inc. The Motion represents that the relationship between counsel and Defendant has deteriorated to the point that counsel can no longer effectively represent Defendant. Plaintiff filed a Limited Opposition (Dkt. #19) to the Motion, requesting that Defendant be required to appear within ten days with new counsel or be subject to default judgment.

Local Rule IA 10-6 provides that “no withdrawal . . . shall be approved if delay of discovery, the trial or any hearing in the case would result. Plaintiff filed its Complaint (Dkt. #1) on April 26, 2013. Defendant filed a Motion to Dismiss (Dkt. #8) on May 28, 2013. The court approved the parties Proposed Discovery Plan and Scheduling Order (Dkt. #14) in an Order (Dkt. #15) entered July 11, 2013. Discovery in this matter closes on December 16, 2013.

Having reviewed and considered the matter, and for good cause shown,

IT IS ORDERED:

1. The Motion to Withdraw (Dkt. #18) is GRANTED.

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2. A corporation cannot appear except through counsel. *Rowland v. California Men's Colony*, 506 U.S. 194, 201-02 (1993); *U.S. v. High Country Broadcasting Co., Inc.*, 3 F.3d 1244, 1245 (9th Cir. 1993). Therefore, Defendant Advanced Funding Strategies, Inc., shall have until **October 28, 2013**, in which to retain new counsel who shall file a notice of appearance in accordance with the Local Rules of Practice.
 4. Failure to comply with this order may result in a recommendation to the district judge for sanctions, including case-dispositive sanctions.
 5. The Clerk Court shall serve a copy of this Order on Defendant at:

Advanced Funding Strategies, Inc.
5550 S. Fort Apache
Las Vegas, NV 89148

Dated this 26th day o f September 2013

Peggy A. Teen
PEGGY A. TEEN
UNITED STATES MAGISTRATE JUDGE